IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 896 OF 2005

Jagdish Gautamji Maneria .. Applicant.

V/s.

The State of Maharashtra ..Respondent.

Shri A.G. Lalla i/by Lalla & Lalla for the Applicant.
Shri D.R. More, APP for the Respondent-State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 04, 2005

PC :-

. Having heard learned counsel for the parties at length and as I indicated my mind, counsel for the applicant submitted on instructions that the applicant would not proceed with this application. This course is adopted to avoid any observations on the three questions raised before me, which in turn will affect the fair trial available to the applicant. Learned APP has no objection if the applicant wants to withdraw this application unconditionally.

. Accordingly, this application is dismissed as withdrawn unconditionally.

. It is made clear that the trial will proceed

on its own merits in accordance with law including any remedy available to the prosecution to comply with the procedural formalities or otherwise. That aspect will be considered on its own merits.

. Ordered accordingly.

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